

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 ACDA-07 TRSE-00 SAJ-01 IO-13 OMB-01 /081 W

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P R 091216Z JUL 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 0303

INFO USMISSION EC BRUSSELS

USMISSION USBERLIN

AMEMBASSY BERLIN

AMEMBASSY PARIS

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USMISSION NATO BRUSSELS

C O N F I D E N T I A L BONN 11595

E.O. 11652: GDS

TAGS: PFOR PGOV GW WB EC US UR FR

SUBJECT: BERLIN AND DIRECT ELECTIONS TO THE EUROPEAN  
PARLIAMENT

REFS: (A) BONN 11230; (B) BONN 5398

SUMMARY. FRG HAS INFORMED US THAT AGREEMENT MIGHT BE  
REACHED BY EUROPEAN COUNCIL NEXT WEEK ON DIRECT  
ELECTIONS TO THE EUROPEAN PARLIAMENT. GERMANS HAVE  
ALSO TOLD US OF PROBABLE MODIFICATION IN PROCEDURE  
REGARDING BERLIN DECLARATION OF FRG. END SUMMARY.

1. FRG REPS HAVE INFORMED US BILATERALLY AND IN BONN  
GROUP THAT THE DIRECT ELECTIONS QUESTION TO THE  
EUROPEAN PARLIAMENT MAY BE RESOLVED BY THE EUROPEAN  
COUNCIL IN ITS MEETING NEXT WEEK. IF SO, DECISIONS  
ON THE TYPES OF INSTRUMENTS TO BE EMPLOYED TO ARTICULATE  
AND FORMALIZE THE AGREEMENT WILL BE TAKEN VERY SOON.

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2. FRG BONN GROUP LEGAL ADVISOR (DUISBERG) TOLD ALLIED REPS IN JULY 8 MEETING THAT THE LIKELIHOOD IS FOR SOME KIND OF COMPROMISE BETWEEN THE TWO POSSIBILITIES NOW BEING DISCUSSED: (A) A DECISION OF THE COUNCIL OF MINISTERS UNDER ARTICLE 138 OF THE TREATY OF ROME; AND (B) A STANDARD INTERNATIONAL AGREEMENT AMONG THE EC 9.

3. DUISBERG SAID IT IS PROBABLE THAT SOME KIND OF FINAL ACT WILL BE DRAWN UP WHICH WOULD INCLUDE DECLARATIONS ON VARIOUS ITEMS AS DESIRED BY ANY OF THE NINE. THE FRG DECLARATION ON BERLIN WOULD BE INCORPORATED IN THIS FINAL ACT. THIS INCORPORATION WOULD NOT ALTER THE CHARACTER OF THE DECLARATION AS A UNILATERAL FRG STATEMENT BUT AS A PART OF THE FINAL ACT ITS ACCEPTANCE BY THE OTHER EIGHT WOULD BE UNQUESTIONED. SUCH INCORPORATION WOULD THUS SEEM TO MEET EVEN MORE THAN THE FIVE-POINT PROCEDURE (SEE REF B) THE ALLIED POINT OF WISHING TO ENSURE THAT THE OTHER EC MEMBERS WERE INFORMED OF AND ACCEPTED THE RESERVATIONS ON APPLICATION OF THE AGREEMENT ON DIRECT ELECTIONS TO THE WSB. DUISBERG EMPHASIZED THAT NO FINAL DECISION HAD BEEN TAKEN IN BRUSSELS BUT THAT BONN WISHED TO KEEP THE ALLIES INFORMED.

4. ACTION REQUESTED: IN REF (A) WE REQUESTED DEPARTMENT'S AGREEMENT TO THE FIVE-POINT PROCEDURE. REQUEST DEPARTMENT ALSO AUTHORIZE US TO ACCEPT PROCEDURE AS SET OUT ABOVE IN PARA 3.  
HILLENBRAND

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** MEMBERSHIP, AGREEMENT DRAFT, ELECTIONS, REGIONAL ORGANIZATIONS, BERLIN QUADRIpartite MATTERS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 09 JUL 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ShawDG  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976BONN11595  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D760265-0321  
**From:** BONN  
**Handling Restrictions:** n/a  
**Image Path:**  
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**Legacy Key:** link1976/newtext/t19760776/aaaacolr.tel  
**Line Count:** 90  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EUR  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 BONN 11230, 76 BONN 5398  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ShawDG  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 31 MAR 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <31 MAR 2004 by greeneet>; APPROVED <13 AUG 2004 by ShawDG>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** BERLIN AND DIRECT ELECTIONS TO THE EUROPEAN PARLIAMENT  
**TAGS:** PFOR, PGOV, GE, WB, US, UR, FR, EEC  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006